

**HOUSE . . . . . No. 2465**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**Kevin G. Honan**  
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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to employment contracts for town accountants and city auditors.

\_\_\_\_\_  
PETITION OF:

NAME:

Kevin G. Honan

DISTRICT/ADDRESS:

17th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2571 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO EMPLOYMENT CONTRACTS FOR TOWN ACCOUNTANTS AND CITY AUDITORS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Delete from the first and third paragraphs of General Laws Chapter 41,  
2 section 108N the terms “town accountants” and “city auditor.”  
3 SECTION 2. Amend Chapter 41 by adding a new section, Section 108Q, that reads:  
4 Section 108Q. Notwithstanding the provision of any general or special law to  
5 the contrary, any city or town acting through the Appointing Authority for its  
6 town accountant or city auditor, may establish an employment contract for a period of  
7 time to provide for the salary, fringe benefits, and other conditions of employment,  
8 including but not limited to, severance pay, relocation expenses, reimbursement for  
9 expenses incurred in the performances of duties or office, liability insurance, leave for its  
10 town accountant or city auditor or the person performing such duties having a different  
11 title and educational incentives, including but not limited to, designation as a Certified  
12 Governmental Accountant by the Massachusetts Municipal Accountants’ Association  
13 which may be established by the appropriating authority with or without a contract,  
14 funding subject to the local appropriating authority. Said contract shall be in accordance  
15 with and subject to the provisions of the city or town charter and shall prevail over any  
16 conflicting provision of any local personnel by-law, ordinance, rule, or regulation. In  
17 addition to the benefits provided municipal employees under chapters thirty-two and  
18 thirty-two B, said contract may provide for supplemental retirement and insurance  
19 benefits. Nothing contained in this section shall affect the appointment or removal  
20 powers of any city or town over its town accountant or city auditor, or such  
21 person performing such duties with a different title, nor shall it grant tenure to such  
22 officer, nor shall it abridge the provisions of section sixty-seven of chapter forty-four.